COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

A TRADITION OF SERVICE

INCIDENT REPORT

DATE 2-6-02 PAGE 1 OF 6

ACTION: [X] ACTIVE [ ] INACTIVE [ ] PENDING | NON-CRIMINAL [ ] | # OF ADULT ARRESTS ⊖ | # OF SUBJECT DETENTIONS ⊖

URN # 4 (RETENTION) 02 (YEAR) 02162 (SEQUENTIAL) 2608 (REPORTING DISTRICT) 055 (STAT CODE)

CLASSIFICATION 1 / LEVEL / STATCODE: ASSAULT W/ DEADLY WEAPON, 245(a)(1) PC / F / 052

CLASSIFICATION 2 / LEVEL / STAT CODE:

CLASSIFICATION 3 / LEVEL / STAT CODE:

SEX OFFENSE VICTIM INFO? [ ] YES [X] NO

DOMESTIC VIOLENCE: [ ] NON-PERSONAL (GUN, KNIFE ETC) [ ] PERSONAL (HANDS, FEET, FIST ETC) — N/A
INJURY [ ] Major [ ] Minor [ ] None
[ ] NON-CRIMINAL

DATE, TIME, DAY OF OCCURRENCE: 2-6-02, 1630 HRS, WEDNESDAY

PRINTS REQUESTED [ ] BY — TIME —
COMPLETED [ ]

LOC. OF OCCURRENCE: N/W CORNER OF AVE S/ 47TH ST E, PALMDALE

BUS NAME —

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	#	of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
V	1	1	[redacted]			M	H	—	[redacted]	16

[redacted]

VICTIM OF OFFENSE(S) (CLASSIFICATION) # 1 [redacted]

[redacted] ZIP | ENGLISH SPEAKING [X] YES [ ] NO | BUS [redacted] | Day Phone X

CODE	#	of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
/										

RES. ADDR. CITY ZIP VICTIM OF OFFENSE(S) (CLASSIFICATION) # RES PHONE (Area Code) Day Phone

BUS. ADDR. CITY ZIP ENGLISH SPEAKING [ ] YES [ ] NO BUS PHONE (Area Code) Day Phone

CODE	#	of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
/										

RES. ADDR. CITY ZIP VICTIM OF OFFENSE(S) (CLASSIFICATION) # RES PHONE (Area Code) Day Phone

BUS. ADDR. CITY ZIP ENGLISH SPEAKING [ ] YES [ ] NO BUS PHONE (Area Code) Day Phone

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	#	of	LNAME	FNAME	MNAME	DRIVER'S LICENSE (STATE & No.)
S	1	1	[redacted] (NFD)			

RES. ADDR. CITY ZIP RES PHONE (Area Code)

BUS. ADDR. CITY ZIP BUS PHONE (Area Code)

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HGT	WGT	DOB	Age
M	H		BLD					

CHARGE — WHERE DETAINED OR CITE #

AKA — MONIKER — BOOKING #

CODE	#	of	LNAME	FNAME	MNAME	DRIVER'S LICENSE (STATE & No.)
/						

RES. ADDR. CITY ZIP RES PHONE (Area Code)

BUS. ADDR. CITY ZIP BUS PHONE (Area Code)

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HGT	WGT	DOB	Age

CHARGE — WHERE DETAINED OR CITE #

AKA — MONIKER — BOOKING #

VEHICLE # N/A SUSPECT / VICTIM | STATUS [ ] STORED [ ] IMPOUNDED [ ] OUTSTANDING | LICENSE (STATE & No.) | YEAR | MAKE | MODEL | BODY TYPE | COLOR

REGISTERED OWNER — IDENTIFYING FEATURES — CHP 180 SUBMITTED [ ] YES [X] NO — GARAGE NAME & PH

BY DEP: GOODWIN, C EMPLOYEE # [redacted] VACATION DATES — DEP — EMPLOYEE # — VACATION DATES —

STATION: PLM UNIT / CAR #: 263N SHIFT: PM

APPROVED: SGT D HUDSON EMPLOYEE # [redacted] DATE 2/7/02 TIME 0108

VICTIM DESIROUS OF PROSECUTION [X] YES [ ] NO

ASSIGNMENT: HOMICIDE / PALMDALE DB

HQ NOTIFICATION REQ [ ] YES [X] NO DEP DATE TIME SPECIAL REQUEST DISTRIBUTION ①

SUSP / SUBJ RELEASE APPROVED BY TIME PCD SUBMITTED [ ] YES [X] NO TT B C BY DATE TIME SECTY

76C300F - SH-R-49 (Rev. 10/99)

DATE 2-6-02 | TIME RECEIVED 1649 | 249 | URN # 032-02162-2608 C55 | PAGE 2 OF 6

INPUT / CHECKED NCIC, CII, ETC ☐ YES ☒ NO | EVIDENCE HELD ☐ YES ☒ NO | EVIDENCE ENTERED IN PATROL ____ Ledger/Pages | NARCOTICS ____ Ledger/Pages | SAFE ____ Ledger/Pages | BY

EVIDENCE HELD: ☐ BLOOD ☐ BULLET ☐ BULLET CASING ☐ CHECKS ☐ CLOTHES ☐ CREDIT CARDS ☐ ELECTRONIC EQUIPMENT ☐ FINGERPRINTS ☐ FOOTPRINTS ☐ FRAUD DOCUMENTS ☐ GSR ☐ HAIR ☐ JEWELRY ☐ MISCELLANEOUS ☐ MONEY ☐ NARCOTICS ☐ OTHER PRINTS ☐ PAINT ☐ PHOTOGRAPHS ☐ RAPE KIT ☐ RECEIPTS ☐ TOOLS ☐ URINE ☐ VEHICLE IMPOUNDED ☐ VEHICLE PARTS ☐ WEAPONS ☐

PROPERTY CODE: S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • EV – EVIDENCE | RELEASED TO

(Use all applicable Codes, for example, if property is both Stolen and Recovered. Code is S/R)

CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE

I RECEIVED A CALL OF AN ASSAULT WITH A DEADLY WEAPON AT THE INDICATED ADDRESS. WHILE ON MY WAY TO THE CALL, I WAS FLAGGED DOWN BY THE DRIVER [redacted] MW [redacted] OF AN AVTA BUS AT AVE S / 25TH ST EAST, PALMDALE.

THE DRIVER TOLD ME THAT A STABBING HAD JUST OCCURRED BETWEEN TWO MALES AFTER HE DROPPED THEM OFF AT AVE S / 47TH ST EAST. HE SAID HE DID NOT SEE THE STABBING, ONLY HEARD THE COMMOTION OF THE OTHERS WHO ALSO GOT OFF THE BUS. HE SAID HE

PART I STATISTICAL INFORMATION

PROPERTY

TYPE OF PROPERTY	STOLEN	RECOVERED	TYPE OF PROPERTY	STOLEN	RECOVERED
CLOTHING/FURS	$	$	JEWELRY	$	$
CONSUMABLE GOODS	$ N	$	LIVESTOCK	$	$
CURRENCY/NOTES	$	$ A	LOCAL STOLEN VEHICLES	$	N $
FIREARMS	$	$	MISCELLANEOUS	$	$ A
HOUSEHOLD GOODS	$	$	OFFICE EQUIPMENT	$	$
			TV/RADIO/STEREO	$	$

VICTIM OF SEX CRIMES REQUEST FOR CONFIDENTIALITY

PURSUANT TO SECTION 293(a) OF THE CALIFORNIA PENAL CODE, YOU ARE INFORMED THAT YOUR NAME WILL BECOME A MATTER OF PUBLIC RECORD, UNLESS YOU REQUEST THAT IT REMAIN CONFIDENTIAL AND NOT BE A PUBLIC RECORD, PURSUANT TO SECTION 6254 OF THE GOVERNMENT CODE.

I, N/A HEREBY (DO) (DO NOT) ELECT TO EXERCISE MY RIGHT TO PRIVACY.

SCREENING FACTORS

YES	NO		YES	NO	
☐	☒	1. SUSPECT IN CUSTODY	☒	☐	7. GENERAL SUSPECT DESCRIPTION
☒	☐	2. SUSPECT NAMED/KNOWN	☐	☒	8. GENERAL VEHICLE DESCRIPTION
☐	☒	3. UNIQUE SUSPECT IDENTIFIERS	☐	☒	9. UNIQUE M.O. OR PATTERN
☐	☒	4. VEHICLE IN CUSTODY	☒	☐	10. SIGNIFICANT PHYSICAL EVIDENCE
☐	☒	5. UNIQUE VEHICLE IDENTIFIERS	☐	☒	11. TRACEABLE STOLEN PROPERTY
☒	☐	6. WRITER/REVIEWER DISCRETION	☐	☒	12. MULTIPLE WITNESSES

(2)

REPORT CONTINUATION NARRATIVE | URN 402-02162-26CB-055

SAW A MALE WHITE WITH A SHAVED HEAD AND WEARING A WHITE LONG-SLEEVED SHIRT RUN W/B ON AVE S AND THEN N/B ON 45TH ST EAST.

AS I WAS TALKING TO THE BUS DRIVER, DEP MURPHY # [redacted] TALKED TO ANOTHER BUS DRIVER AT 30TH ST E / AVE S. DEP MURPHY PUT OUT A PRELIMINARY BROADCAST OF THE SUSPECT: MALE WHITE, SHAVED HEAD, WEARING A LONG SLEEVE WHITE SHIRT.

WITHIN MINUTES, DEPUTIES HOYT # [redacted] AND [redacted] # [redacted] WENT IN FOOT PURSUIT OF A MALE THAT MATCHED DEP. MURPHY'S DESCRIPTION (SEE SUPPLEMENTAL REPORT UNDER SAME FILE #).

I RESPONDED TO THE TEXACO GAS STATION AT THE N/E CORNER OF 47TH ST EAST / AVE S AND MET WITH V/1. I TRANSPORTED V/1 TO MESA VERDE

REPORT CONTINUATION NARRATIVE | URN 002-02162 2669-055

ELEMENTRY SCHOOL AT 40TH ST E / AVE S WHERE HE WAS AIRLIFTED BY LA CO. FIRE PARAMEDICS TO PROVIDENCE-HOLY CROSS MEDICAL CENTER (5031 RINALDI ST, MISSION HILLS, 818-365-8051). I ACCOMPANIED PARAMEDICS WITH THE TRANSPORT.

V/1 WAS TREATED FOR HIS INJURIES BY DR MAX RODRIGUEZ AND ADMITTED UNDER PATIENT # [redacted]

WHILE AT THE HOSPITAL, I SAW V/1 HAD TWO 2" PUNCTURE WOUNDS. ONE WAS TO V/1'S MIDDLE BACK AND ONE TO HIS LOWER RIGHT BACK. BOTH WOUNDS REQUIRED STAPLES BY DR. RODRIGUEZ.

AFTER V/1 WAS TREATED, HE TOLD ME THE FOLLOWING:

ON 2-4-02, V/1 HAD A FIST FIGHT WITH A MALE HISPANIC (NFD) WHO WAS NEW TO HIS SCHOOL. V/1 SAID HE

REPORT CONTINUATION NARRATIVE | URN -02 - 02162-2608-055

COULD NOT EXPLAIN WHY THE FIGHT HAPPENED, ONLY THAT HE WAS CONFRONTED BY THE BOY. TODAY, V/1 WAS RIDING THE BUS WHEN HE WAS CONFRONTED BY S/1. V/1 RECOGNIZED S/1 AS A STUDENT WHO WENT TO HIS SCHOOL AND SAID HE HAS HAD PROBLEMS WITH HIM IN THE PAST. V/1 BELIEVES S/1 IS A FRIEND OF THE BOY HE FOUGHT ON 2-4-02.

V/1 SAID THAT HE AND S/1 AGREED TO FIGHT WHEN THEY GOT OFF THE BUS. THE TWO OF THEM GOT OFF THE BUS ON THE NORTH SIDE OF AVE S WEST OF 47TH ST EAST. V/1 STATED THAT HE SAW S/1 WITH A KNIFE (A SILVER 3"-4" BLADE) STICKING OUT OF S/1'S SHIRT SLEEVE. V/1 IMMEDIATELY RAN E/B ON AVE S. S/1 CHASED V/1 AND STABBED HIM TWICE IN THE BACK. V/1 KEPT RUNNING ACROSS 47TH ST EAST TO THE TEXACO GAS STATION ON THE N/E CORNER OF 47TH ST EAST / AVE S.

REPORT CONTINUATION NARRATIVE | URN 402-02162-2608-055

V/1 WAS GOING TO CATCH ANOTHER BUS AT THAT LOCATION, BUT WENT INTO THE GAS STATION AND CALLED 911 WHEN HE REALIZED HOW MUCH HE WAS BLEEDING.

I WAS CALLED AT THE HOSPITAL BY LANCASTER DEPUTY JOHN RUSH. I TOLD HIM THAT SUSPECTS NAME WAS [redacted] DEP RUSHED ASKED, "IS IT [redacted]" I ASKED V/1 IF THE GUY WHO STABBED HIM WAS [redacted] AND V/1 SAID, "YEAH, THATS HIM"

SEE SUPPLEMENTAL REPORTS REGARDING ASSAULTS ON POLICE OFFICERS UNDER SAME FILE #.

76R2RRM Sh R 313 PS 10 E.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CRIME ANALYSIS INFORMATION FORM
SUSPECT/SUBJECT INFORMATION

URN 402-02162-2608-055

SUSPECT/SUBJECT # 1 NAME [redacted]

SUSPECT/SUBJECT # ___ NAME ___

CLOTHING DESCRIPTION (Suspect 1)

WHIT LONG SLEEVE SHRT

WRITE ONE ITEM PER DESCRIPTION: CAP/HAT, COAT/JACKET, DRESS/SKIRT, GLASSES, GLOVES, JEWELRY, PANTS, SHIRT/BLOUSE, SHOES, SHORTS, OTHER

CLOTHING DESCRIPTION (Suspect 2)

L R UNK **SCARS / MARKS / TATTOOS / ODDITIES** (Suspect 1)

L R UNK **SCARS / MARKS / TATTOOS / ODDITIES** (Suspect 2)

SUSPECTED ☐ GANG MEMBER — NAME OF GANG

SUSPECTED ☐ GANG MEMBER — NAME OF GANG

HAIR LENGTH
- ☐ ☐ COLLAR
- ☐ ☐ LONG
- ☒ ☐ SHORT
- ☐ ☐ SHOULDER
- ☐ ☐ ___

HAIR TYPE
- ☒ ☐ BALD
- ☐ ☐ RECEDING
- ☐ ☐ THICK
- ☐ ☐ THINNING
- ☐ ☐ WIG
- ☐ ☐ ___

HAIR STYLE
- ☐ ☐ AFRO/NATURAL
- ☐ ☐ BRAIDED/DREDLOCKS
- ☐ ☐ BUSHY
- ☐ ☐ BUTCH
- ☐ ☐ COMBED BACK
- ☐ ☐ CURLERS
- ☐ ☐ CURLY
- ☐ ☐ FLAT TOP
- ☐ ☐ GREASY
- ☐ ☐ JHERI CURL
- ☐ ☐ MILITARY
- ☐ ☐ NETS
- ☐ ☐ PONY TAIL
- ☐ ☐ PROCESSED
- ☐ ☐ PUNK
- ☒ ☐ SHAVED
- ☐ ☐ STRAIGHT
- ☐ ☐ WAVY
- ☐ ☐ ___

COMPLEXION
- ☐ ☐ ACNE/POCKED
- ☐ ☐ ALBINO
- ☐ ☐ DARK
- ☐ ☐ FRECKLED
- ☐ ☐ LIGHT FAIR
- ☒ ☐ MEDIUM
- ☐ ☐ PALE
- ☐ ☐ RUDDY
- ☐ ☐ SALLOW
- ☐ ☐ TANNED
- ☐ ☐ WEATHERED
- ☐ ☐ WRINKLED
- ☐ ☐ ___

FACIAL HAIR
- ☐ ☐ BEARD
- ☐ ☐ CLEAN SHAVEN
- ☐ ☐ FUZZ
- ☐ ☐ GOATEE
- ☐ ☐ LOWER LIP
- ☐ ☐ MOUSTACHE
- ☐ ☐ SIDE BURNS
- ☐ ☐ UNSHAVEN
- ☐ ☐ ___

TEETH
- ☐ ☐ BROKEN CHIPPED
- ☐ ☐ BRACES
- ☐ ☐ BUCK
- ☐ ☐ CROOKED
- ☐ ☐ DECAYED
- ☐ ☐ FALSE
- ☐ ☐ GAP/SPACE
- ☐ ☐ GOLD CAP
- ☐ ☐ JEWELED
- ☐ ☐ MISSING
- ☐ ☐ NONE
- ☐ ☐ SILVER CAP
- ☐ ☐ STAINED
- ☐ ☐ ___

SPEECH
- ☐ ☐ ACCENT
- ☐ ☐ DISGUISE
- ☐ ☐ LISPS
- ☐ ☐ MUMBLES
- ☐ ☐ RAPID
- ☐ ☐ RASPY
- ☐ ☐ SLOW
- ☐ ☐ SLURRED
- ☐ ☐ STUTTER
- ☐ ☐ ___

HANDED
- ☐ ☐ LEFT
- ☐ ☐ RIGHT
- ☐ ☐ BOTH

WEAPON

FIREARM

Style:
- ☐ ☐ MULTIPLE
- ☐ ☐ BB / PELLET
- ☐ ☐ HANDGUN
- ☐ ☐ RIFLE
- ☐ ☐ SAWED-OFF
- ☐ ☐ SHOTGUN
- ☐ ☐ SIMULATED
- ☐ ☐ ZIP GUN
- ☐ ☐ ___

Action
- ☐ ☐ DERRINGER
- ☐ ☐ FULLY AUTO
- ☐ ☐ PUMP
- ☐ ☐ REVOLVER
- ☐ ☐ SEMI AUTO
- ☐ ☐ SINGLE SHOT
- ☐ ☐ ___

Barrel Type
- ☐ ☐ SINGLE BARREL
- ☐ ☐ DOUBLE BARREL
- ☐ ☐ THREE BARREL
- ☐ ☐ 4 OR MORE BARREL
- ☐ ☐ ___

Color / Finish
- ☐ ☐ BLUE STEEL
- ☐ ☐ CHROME NICKEL
- ☐ ☐ DULL BLACK
- ☐ ☐ RUSTED
- ☐ ☐ STAINLESS STEEL
- ☐ ☐ ___

Grip / Stock
- ☐ ☐ ALTERED
- ☐ ☐ BONE PEARL
- ☐ ☐ IVORY
- ☐ ☐ COLLAPSIBLE FOLDABLE
- ☐ ☐ METAL PLASTIC
- ☐ ☐ NO GRIP
- ☐ ☐ RUBBER VINYL
- ☐ ☐ TAPED
- ☐ ☐ THUMB HOLE
- ☐ ☐ WOOD
- ☐ ☐ ___

KNIFE

Style:
- ☐ ☐ MULTIPLE
- ☒ ☐ BUCK
- ☐ ☐ BUTCHER / KITCHEN
- ☐ ☐ DIRK DAGGER STILETTO
- ☐ ☐ HUNTING / BOWIE
- ☐ ☐ SIMULATED
- ☐ ☐ SWITCHBLADE
- ☐ ☐ TOY
- ☐ ☐ ___

Blade:
- ☐ ☐ FIXED
- ☐ ☐ FOLDING

CHEMICAL
- ☐ ☐ CAUSTIC
- ☐ ☐ INFECTIOUS
- ☐ ☐ MACE
- ☐ ☐ PEPPER SPRAY
- ☐ ☐ SIMULATED
- ☐ ☐ TEAR GAS
- ☐ ☐ TOXIC
- ☐ ☐ ___

BLUNT INSTRUMENT
- ☐ ☐ BASEBALL BAT
- ☐ ☐ BILLY CLUB
- ☐ ☐ BRASS KNUCKLES
- ☐ ☐ BRICK ROCK BOTTLE
- ☐ ☐ CLUB / BLUDGEON
- ☐ ☐ HAMMER TOOL
- ☐ ☐ NUNCHAKUS
- ☐ ☐ TIRE IRON
- ☐ ☐ ___

CUT / STAB
- ☐ ☐ BAYONET / SWORD
- ☐ ☐ BOTTLE / GLASS
- ☐ ☐ ICE PICK
- ☐ ☐ MACHETE
- ☐ ☐ RAZOR
- ☐ ☐ SCREWDRIVER
- ☐ ☐ THROWING STARS
- ☐ ☐ ___

EXPLOSIVE / INCENDIARY
- ☐ ☐ FIREWORKS
- ☐ ☐ MOLOTOV COCKTAIL
- ☐ ☐ ___

OTHER WEAPON
- ☐ ☐ BODILY FORCE
- ☐ ☐ LIGATURE
- ☐ ☐ SLING SHOT
- ☐ ☐ SYRINGE
- ☐ ☐ TASER / STUN GUN
- ☐ ☐ ___

RELATIONSHIP OF VICTIM TO SUSPECT

V#	V#	Relationship
1		ACQUAINTANCE
		BABYSITTEE (PERSONS WATCHED/BABY)
		BOYFRIEND/GIRLFRIEND
		CHILD
		CHILD OF BOYFRIEND OR GIRLFRIEND
		COMMON-LAW SPOUSE
		EMPLOYEE
		EMPLOYER
		EX-SPOUSE
		FRIEND
		GRANDCHILD
		GRANDPARENT
		HOMOSEXUAL RELATIONSHIP
		IN-LAW
		NEIGHBOR
		OTHER FAMILY MEMBER
		OTHERWISE KNOWN
		PARENT
		RELATIONSHIP UNKNOWN
		SIBLING (BROTHER OR SISTER)
		SPOUSE
		STEPCHILD
		STEPPARENT
		STEPSIBLING (STEPBROTHER OR STEPSISTER)
		VICTIM WAS OFFENDER
		VICTIM WAS STRANGER

(7)

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CRIME ANALYSIS INFORMATION FORM -- M. O. FACTORS

URN 40[illegible] 02 62-26 08-255

AREA
- AIRPORT
- BEACH
- COMMERCIAL
- CONSTRUCTION SITE
- DESERT
- DRIVEWAY
- FREEWAY/HIGHWAY
- GOLF COURSE
- HARBOR
- INDUSTRIAL/WHOLESALE
- MOUNTAINS/FOOTHILLS
- OCEAN
- OPEN FIELD
- PARK
- RESIDENTIAL
- RIVER
- RURAL/ISOLATED
- SCHOOL GROUNDS
- SHOPPING CENTER
- X STREET/ALLEY
- VACANT LOT
- WATER/LAKE

STRUCTURE: RESIDENTIAL
- APARTMENT
- CONDO/TOWNHOUSE
- CONVALESCENT HOSPITAL
- DUPLEX
- MOBILE HOME
- SINGLE FAMILY
- VESSEL/BOAT

STRUCTURE: NON-RESIDENTIAL
- BANK/FINANCE
- BAR
- BUSINESS OFFICE
- CARGO CONTAINER
- CATERING TRUCK
- ENTERTAIN/RECREATE
- FAST FOOD
- GAS STATION
- HOSPITAL
- HOTEL/MOTEL
- INDUS/MFG/WHSE
- JAIL / PRISON
- JEWEL/COIN/PAWN
- LIQUOR
- MARKET
- MINI MART
- NURSING FACILITY
- PARKING STRUCT/LOT
- PHARM/MED/DENTAL
- PUBLIC BUILDING
- RELIGIOUS BUILDING
- RESTAURANT
- RETAIL GOODS
- RETAIL SERV/REPAIR
- SCHOOL
- STORAGE / RENTAL
- VEHICLE-COMMRL
- VESSEL/BOAT
- VIDEO/MUSIC

TARGET: RESIDENTIAL
- ATTIC
- BEDROOM
- DINING ROOM
- GARAGE/PKG AREA
- HALLWAY
- KITCHEN
- LAUNDRY ROOM
- LIVING/FAMILY ROOM
- MAIL BOX
- PATIO/PORCH
- SAFE/BOX
- STORAGE/SHED
- STABLES/TACK ROOM
- VEHICLE

TARGET: NON-RESIDENTIAL
- AUTOMATED TELLER
- CASH REG/DRAWER
- CLASS RM/SUPPLIES
- COIN OP MACHINE
- DISPLAY ITEMS
- OFFICE
- SAFE/BOX
- SNACK BAR
- STORAGE LOCKER
- VEHICLE
- VESSEL
- BICYCLIST
- CUSTOMER
- ELDER/SENIOR CITIZEN
- DISABLED PERSON
- OWNER/EMPLOYEE
- X PEDESTRIAN
- TRANSIENT
- VICTIM IN VEHICLE

POINT OF ENTRY/EXIT (IN / EX)
- FRONT
- REAR
- SIDE
- GROUND LEVEL
- UPPER LEVEL
- ADJACENT BLDG
- BASEMENT
- DOOR/SCREEN
- DUCT/VENT
- FENCE/GATE
- FIREPLACE
- FLOOR
- GARAGE
- GLASS DOOR
- HOUSE BEING FUMIGATED
- LOUVRE
- MAIL SLOT
- PET DOOR
- ROOF/SKYLIGHT
- SLIDING GLASS DR
- WALL
- WINDOW/SCREEN

VEHICLE ENTRY/EXIT (IN / EX)
- CAMPER/SHELL/MOTORHOME
- CONVERTIBLE
- DOOR
- DRIVER SIDE
- HOOD
- PASSENGER SIDE
- SUNROOF
- TRUCK BED
- TRUNK
- WINDOW
- WINDWING

METHOD OF ENTRY
- ATTEMPT ONLY
- BODILY FORCE
- CUT
- HID IN BUILDING
- KICKED
- KNOB TWIST
- LET IN/RUSE
- LOCK BOX
- LOCK CUT/BROKEN
- LOCK PUNCHED
- LOCK SLIP/KEY/PICK
- NO FORCE
- OPEN FOR BUSINESS
- OPEN/UNLOCKED
- PHONE
- PRIED
- REMOVED
- SMASHED
- TUNNELED
- UNBOLTED GATE

METHOD OF ENTRY TOOLS USED
- BODILY FORCE
- BOLT CUTTER
- BRICK/ROCK
- CHANNEL LOCK/PLIERS
- CUTTING INSTRUMENT
- ELECTRONIC DEVICE
- GLASS CUTTER
- KEY
- PRY TOOL
- SAW/BURN/DRILL
- SLIDE HAMMER
- SLIP DEVICE
- VEHICLE

SECURITY SYSTEM
- NONE
- AUDIBLE ALARM
- CAMERA
- CRIME WATCH
- DOG
- FENCE/BARS
- GUARD SERVICE
- OPERATION ID
- OUTSIDE LIGHTING
- SECURITY SIGN/STICKER
- SILENT ALARM
- SPECIAL LOCKS/DEADBOLT
- WINDOW BARS

SUSPECT ACTIONS
- ATE/DRANK ON PREMISES
- CASED LOCATION
- COSTUME / DISGUISE WORN
- DEFECATED / URINATED
- DEMAND NOTE USED
- DEMANDED DRUGS, MONEY, ETC
- DISABLED PHONE
- DISABLED POWER
- DISABLED SECURITY SYSTEM
- DISABLED VEHICLE
- EXCESSIVE FORCE
- FIRED WEAPON
- FONDLED SELF
- GRAFFITI
- HID IN BUILDING
- IGNITION PUNCHED
- JUMPED THE COUNTER
- KNEW LOC OF HIDDEN CASH
- MASK WORN
- MASTERBAT / EJAC
- PHOTOGRAPHED / VIDEOED
- PILLOWCASE TAKEN / USED
- POLICE SCANNER USED
- RANSACKED
- RECORDED / LOGGED EVENTS
- RIPPED / CUT CLOTHING
- SELECTIVE PROPERTY TAKEN
- SMOKED
- TAKEOVER
- TOOK CONCEALABLES
- USED MULTIPLE WEAPONS
- VEH USED TO REMOVE PROPERTY
- VANDALIZED
- VICTIM'S NAME USED
- VICTIM'S TOOLS USED
- WASHED CLOTHING / BEDDING
- WIPED SCENE AFTER CRIME

SUSPECT WAS/HAD
- ALCOHOL ON BREATH
- ANGRY
- APOLOGETIC
- BAD BREATH
- BODY ODOR / UNUSUAL ODOR
- GANG RELATED
- INTIMIDATE/COERCE
- NEVER SPOKE / QUIET
- POLITE / KIND
- PROFANITY
- QUOTES, UNUSUAL
- RAGE
- TRUST VIOLATION
- UNDER INFLUENCE

SUSPECT PRETENDED TO BE
- BUSINESS PERSON
- CONVERSATION / BEFRIENDED
- CUSTOMER
- DELIVERY PERSON
- FAMILY MEMBER
- FIND MONEY
- HANDICAPPED
- LEND ASSISTANCE
- NEED ASSISTANCE OR EMERGENCY
- NEED TOILET / PHONE / WATER
- OFFERED GOODS / SERVICES
- POLICE / SECURITY
- POSITION OF TRUST
- REPAIR PERSON
- SALES PERSON
- SEEK EMPLOYMENT
- SOLICIT DONATIONS
- UTILITY EMPLOYEE

VICTIM WAS
- ASKED TO POSE / MODEL
- BLINDFOLDED
- BOUND / GAGGED
- BURNED
- X CUT / STABBED
- DISTRACTED
- DRUGGED / SEDATED
- EXPLOITED
- FACE COVERED
- FOLLOWED
- FONDLED
- FORCED TO DISROBE
- FORCED TO FONDLE SUSPECT
- FORCED TO LIE ON FLOOR
- FORCED TO MASTURBATE
- FORCED TO MOVE
- FORCED TO ORALLY COPULATE SUSPECT
- GANG RELATED
- HANDCUFFED
- INJURED / HIT
- LOCKED IN
- MADE TO COUNT
- PINCHED
- PISTOL WHIPPED
- SHOT
- SLAPPED
- THREATENED
- TORTURED / MUTILATED

BIAS-MOTIVATED INCIDENT:

RACIAL
- ANTI - WHITE
- ANTI - BLACK
- ANTI - AMERICAN INDIAN / ALASKAN NATIVE
- ANTI - ASIAN / PACIFIC ISLANDER
- ANTI - MULTIRACIAL GROUP

RELIGIOUS
- ANTI - JEWISH
- ANTI - CATHOLIC
- ANTI - PROTESTANT
- ANTI - ISLAMIC (MOSLEM)
- ANTI - OTHER RELIGION
- ANTI - MULTIRELIGIOUS GROUP
- ANTI - ATHEISM / AGNOSTICISM

ETHNICITY / NATIONAL ORIGIN
- ANTI - ARAB
- ANTI - HISPANIC
- ANTI - OTHER ETHNICITY / NATIONAL ORIGIN

SEXUAL
- ANTI - MALE HOMOSEXUAL (GAY)
- ANTI - FEMALE HOMOSEXUAL (LESBIAN)
- ANTI - HOMOSEXUAL (GAYS & LESBIANS)
- ANTI - HETEROSEXUAL
- ANTI - BISEXUAL

GENDER
- ANTI - MALE
- ANTI - FEMALE

DISABILITY
- ANTI - MENTAL
- ANTI - PHYSICAL

SH-R-448 Rev. [illegible]

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: FEBRUARY 7, 2002

FILE NO.: 402-02162-2608-055

C: ATTEMPT MURDER ON A PEACE OFFICER, 664/187 P.C.: ASSAULT WITH A DEADLY WEAPON (KNIFE), 245 (a)(1) P.C.

ACTION: ACTIVE / INTERVIEWS OF DEPUTIES McCORMICK, HOYT AND [redacted]

V#1: [redacted] MH / [redacted]

V#2: [redacted] EMP# [redacted]
(DEPUTY SHERIFF)

V#3: HOYT, JOHN EMP# [redacted]
(DEPUTY SHERIFF)

V#4: McCORMICK, DENISE EMP# [redacted]
(DEPUTY SHERIFF)

D#1: FEBRUARY 6, 2002 / 1630 HRS

L#1: 37217 AVENUE S
PALMDALE, CA 93550
(ASSAULT LOCATION)

D#2: FEBRUARY 6, 2002 / 1639 HRS

L#2: [redacted] LILACVIEW AVENUE
PALMDALE, CA 93550
(SHOOTING LOCATION)

S: [redacted] MH / [redacted]

JAI# [redacted] CDL# [redacted]
BK# [redacted]

Preliminary Information

On February 6, 2002, Detectives Carver and Okada responded to Palmdale Sheriff's Station to interview Deputy Denise McCormick, Deputy Jonathan Hoyt and Deputy [redacted] regarding an on duty shooting.

Prior to arriving at the station, Detectives Carver and Okada briefly examined the crime scene located on Lilacview Avenue, the route of the foot pursuit leading to the shooting and the location of the original assault involving Victim [redacted]

After this initial examination, Detectives Carver and Okada responded to Palmdale Station to interview the three deputies involved in the shooting. Detectives Salerno, Cheek and Anderson remained on Lilacview Avenue and documented the crime scene and collected evidence.

For a complete and detailed account of the crime scene investigation, refer to the supplemental report written by Detective Cheek.

The three following interviews were conducted by Homicide Detectives Carver and Okada, with Sergeant Michael Berg from Internal Affairs Bureau being present during the interview of Deputy McCormick.

The interviews were conducted in an interview room at Palmdale Sheriff's Station. The interviews of Deputy McCormick, Hoyt and [redacted] were tape recorded and have been summarized in this report. For a complete and detailed account of the interviews, refer to the taped interviews, which will remain a permanent part of this file.

Background Information on Deputy Denise McCormick ([redacted]

Deputy McCormick is currently assigned to the Palmdale Sheriff's Station COPS Team. Deputy McCormick was hired by the Los Angeles County Sheriff's Department in January of 1990.

[redacted] until she was assigned to Palmdale Sheriff Station in May of 2000.

On February 6, 2002, Deputy McCormick was working the PM shift from [redacted] to [redacted] with her partner, Deputy Jonathan Hoyt in Unit 268N2.



Interview of Deputy Denise McCormick

On February 6, 2002, at 11:00 p.m., Detectives Carver and Okada interviewed Deputy McCormick regarding the shooting that took place on Lilacview Avenue in the city of Palmdale. Sergeant Michael Berg from Internal Affairs Bureau was also present during this interview. The following is a summary of the taped interview.

Deputy McCormick said after their car was prepared, Deputy Hoyt and she left the station to head toward the eastside of Palmdale. Upon leaving the station, Deputy McCormick heard a call dispatched of a "245JO" at 47th Street East and Avenue S.

> **Note:** A "245J0" is the radio code for an assault that has just occurred.

Deputy McCormick said units began to drive to the location of the call, but at first were unable to locate the victim or the location of the assault. While continuing to the location, Deputy McCormick finally heard a unit broadcast a brief suspect and victim description, along with a last seen location of the suspect.

After the broadcast, Deputy [redacted] notified units he was at Avenue R-11 and had an "obs" on a person he believed was the suspect. Deputy McCormick said she advised Deputy [redacted] they would be at his location in one minute. Prior to arriving at the location, Deputy McCormick heard Deputy [redacted] notify units he was in foot pursuit down R-11 to Lilacview.

Deputy McCormick said her and her partner drove westbound on R-11. As they drove around the corner (Lilacview Avenue), Deputy McCormick saw Deputy [redacted] "proned out on the ground with his gun out." Deputy McCormick said she heard gunshots as they went by Deputy [redacted] but she did not know how many she heard.

Deputy McCormick said she then pointed out to her partner that she believed the suspect was standing by the truck where the confrontation occurred [redacted] Deputy McCormick said, "We rolled up to the truck. I grabbed the shotgun, exited the vehicle and chambered a round." She said when she exited the vehicle, the suspect was located on the other side of a truck parked at the location.

Based on the location of their vehicle and the suspect, Deputy McCormick said she went to take up a position around the parked vehicle, but was prevented from getting around the vehicle due to a second vehicle parked bumper to bumper against the first vehicle.

As she was trying to get around the second vehicle, Deputy McCormick heard her partner yell, "Put down the weapon. Put down the weapon." She then heard gunfire.

Deputy McCormick said she came around the back of the car and saw the suspect lying on the ground with his arms open. Deputy McCormick said she could see that the suspect had a gun in his hand.

Deputy McCormick said she told the suspect, "Drop the gun. Drop the gun." After these commands were made, Deputy McCormick said the suspect raised his head off the ground and looked at her. She said the suspect then stated, "I can't. I can't."

As she was making more commands for the suspect to drop the gun, Deputy McCormick became aware of another deputy standing next to her. She said two additional deputies also approached from the north (male deputy and female deputy).

> **Note:** The deputy that was standing next to Deputy McCormick was Deputy [redacted] and the two additional deputies approaching from the north were Deputies Manes and Grijalva.

Deputy McCormick said she saw another deputy kick the gun away from the suspect. After the suspect was disarmed, Deputy McCormick searched the suspect and found a bloody knife in the suspect's waistband.

> **Note:** This knife was given to Homicide Investigators upon their arrival. The knife had blood on the blade and will be held as evidence (Lab Receipt# J234763).

During the follow-up interview, Deputy McCormick said the suspect was facing Deputy Hoyt when she was trying to get to the rear of the car. As she was trying to get to the back of the car, Deputy McCormick said she believed she heard two shots followed by another two shots.

After the shots, Deputy McCormick saw the suspect lying on his back on the sidewalk. She said his arms were extended away from his sides and his legs were straight. She said it was from this position she first saw the suspect had something dark in his right hand that she believed was a gun.

As she was yelling at the suspect to drop the gun, Deputy McCormick realized that Deputy [redacted] was the deputy standing next to her and Deputies Grijalva and Manes have arrived on the street.

Deputy McCormick said the knife was not in plain view when she searched the suspect. After she lifted up his shirt, Deputy McCormick found the knife attached to the right side of his waistband. She said the knife was partially open with blood on the blade. Deputy McCormick said she was unaware of who removed the gun from the suspect's right hand.



Deputy McCormick said the paramedics arrived within minutes and she was transported to the station.

Deputy McCormick said Deputy Hoyt was located by the driver's side door during this incident. She said it was her belief that Deputy Hoyt remained in the "wedge" created between the driver's door and the vehicle. She said the suspect was standing toward the front side of the truck on the sidewalk.

The interview of Deputy McCormick ended on February 6, 2002, at 11:20 p.m..

Background Information on Deputy Jonathan Hoyt (#[redacted]

Deputy Hoyt is currently assigned to the Palmdale Sheriff's Station COPS Team. Deputy Hoyt was hired by the Los Angeles County Sheriff's Department in July of 1988.

[redacted] In March of 1997, Deputy Hoyt was reassigned to Palmdale Sheriff's Station.

On February 6, 2002, Deputy Hoyt was working the PM shift from [redacted] to [redacted] with his partner, Deputy Denise McCormick in Unit 268N2. Deputy Hoyt said Deputy McCormick has been his partner since May of 2001.

Interview of Deputy Jonathan Hoyt

On February 6, 2002, at 11:30 p.m., Detectives Carver and Okada interviewed Deputy Hoyt regarding the shooting that took place on Lilacview Avenue in the city of Palmdale. The following is a summary of the taped interview.

Deputy Hoyt said he began his shift, by checking his e-mail and working on an operation plan. At approximately 4:20 to 4:30 p.m., Deputy Hoyt went down stairs to prepare his patrol car for the evening.

Deputy Hoyt said his partner placed the shotgun in the car, while he checked the "Stunbag" shotgun and the AR-15 that were in the trunk of the vehicle. At 4:30 to 4:35 p.m., Deputy Hoyt said he and his partner left the station and logged on (mobile digital terminal).



As soon as they left the station, Deputy Hoyt heard a call dispatched of a "245 stabbing victim" at 47th Street East and Avenue S. Upon hearing the call, Deputy Hoyt said they slowly began to drive east toward the call. While en route, Deputy Hoyt said there was some confusion on where the suspect might be at. He said originally he heard the suspect might be at the "Kentucky Fried Chicken" located at 25th Street East and Avenue S.

Deputy Hoyt said they arrived at 25th Street East and Avenue S and heard the suspect was last seen running westbound on Avenue S at 45th Street East. Deputy Hoyt said the suspect was described as a male white wearing a white t-shirt.

Based on this new information, Deputy Hoyt said he drove eastbound on Avenue S from 25th Street East. While stopped at the red light at 35th Street East and Avenue S, Deputy Hoyt heard a male deputy indicate he had a possible suspect at 37th Street East and Avenue R-12. Deputy Hoyt said this location was not more than four blocks away from their present location.

> **Note:** Deputy [redacted] was the male deputy that indicated he had a possible suspect at 37th Street East and Avenue R-12.

Deputy Hoyt said his partner advised Deputy [redacted] they were responding to his location in one minute. Once the light turned green, Deputy Hoyt continued eastbound on Avenue S. Upon reaching 37th Street East, Deputy Hoyt heard Deputy [redacted] state he was in foot pursuit of the suspect.

Deputy Hoyt activated his lights and siren and drove northbound on 37th Street East and then westbound on Avenue R-12, while Deputy McCormick advised they were responding to the foot pursuit in seconds. Deputy Hoyt said he saw an empty radio car parked at 36th Street East and Avenue R-12 (Deputy [redacted] radio car).

Upon seeing the radio car, Deputy Hoyt heard Deputy [redacted] indicate the foot pursuit was now northbound on Lilacview Avenue. Deputy Hoyt said he drove northbound on 36th Street East, westbound on Avenue R-11 to Lilacview Avenue.

As he drove around the corner of 36th Street East and Avenue R-11, Deputy Hoyt saw several people running into their houses. He said this was an indication he was real close to Deputy [redacted] location.

When he rounded the corner of Avenue R-11 and Lilacview Avenue, Deputy Hoyt saw Deputy [redacted] lying in the street. He said Deputy [redacted] was lying on his stomach with his head up. He said Deputy [redacted] was holding his Beretta in his hand.



As he drove past Deputy [redacted] Deputy Hoyt heard one to two gunshots fired. Believing the gunshots were fired by Deputy [redacted] Deputy Hoyt stated, "I immediately believed that he (Deputy [redacted] had been shot and was returning fire."

Deputy Hoyt then stated, "So I looked down, but I don't see anybody immediately down the street. So I ask Denise. Where is he? Where's the suspect? And she yells out, there he is behind the truck."

At this time, Deputy Hoyt saw a male wearing a white t-shirt walking away from him on the east sidewalk. Since this was the only person he saw on the sidewalk, Deputy Hoyt believed this was the suspect.

Deputy Hoyt said, "By the time I was able to see him, recognize that he was possibly the threat, hit the breaks and stop the car we were almost right up on him. Fifteen feet. I mean, I was stopped to the point I had angled the car for cover and he was almost directly to the right of the patrol car. As I stopped, before I even threw it in park, I saw he had a gun in his hand. I saw that he was holding a black, blue steeled revolver."

Deputy Hoyt said the gun appeared to be a small caliber revolver and the suspect was holding the gun in his right hand. Deputy Hoyt said as he brought the car to a stop, he was unable to get the car into park. As he opened his door, Deputy Hoyt said he removed his Beretta and told the suspect to get his hands up and drop the gun.

Deputy Hoyt said as he was exiting the car he also heard Deputy McCormick exit the car as well.

Because the radio car had not been placed in park, Deputy Hoyt said he had to reach back into the car with his right foot and step on the brake, while his left foot stayed outside the car on the ground. During this time, Deputy Hoyt made the following commands to the suspect, "Show me your hands. Drop the gun. Drop the gun."

As he was making commands to the suspect, Deputy Hoyt heard Deputy McCormick rack a round into the shotgun and move toward the back of the radio car. He said he was not sure exactly where she went, but said he knew they had stopped in a bad position.

Deputy Hoyt said he continued to tell the suspect to drop the gun. He said at this point the suspect was looking directly at him. Deputy Hoyt said the suspect then began to look around, "almost like he is looking for avenue to escape." Deputy Hoyt said he then saw the suspect's left hand begin to twitch.

Deputy Hoyt then told the suspect, "Drop the gun. Get your hands up in the air. Drop the gun." Before he was able to finish this last set of commands, Deputy Hoyt said, "He suddenly stood up straight, turned his body and pointed the gun at me."

Deputy Hoyt said the suspect pointed the gun at him with his palm pointed toward the ground and the gun turned sideways. This method of holding a firearm has become popular with young gang members, who have seen actors in recent movies holding guns with this type of grip.

> **Note:** During this portion of the interview, Deputy Hoyt seemed to be reliving the events that occurred that day. He was using his arms, hands and head to demonstrate how the suspect was looking around, how he was twitching and how the suspect was holding the gun when it was pointed at him.

Because the suspect was pointing the gun directly at him, Deputy Hoyt said it was his belief the suspect was going to shoot him. Deputy Hoyt then said, "The first thing I did was was I think I flinched out of fear that he was going to shoot me. I fired one round. Came back down and picked up my front sight and fired a second round. I think the second round hit him because he flinched. He kinda flinched, but he didn't go down so I double tapped again. I fired two more rounds." Deputy Hoyt said after the second two rounds were fired, the suspect fell to the ground.

Deputy Hoyt said he was unsure if the suspect fired at him. He said once the suspect went to the ground he lost sight of him. Deputy Hoyt said he quickly entered his car and placed it in park. He then went to the back of his patrol car and made his Beretta safe by using the decocking lever on the Beretta.

Deputy Hoyt then walked to the rear of the two cars parked on the east curb. Deputy Hoyt said he saw Deputy [redacted] and Deputy McCormick covering the suspect with their guns and still telling the suspect to drop his gun.

Deputy Hoyt said he took up a position to the right of Deputy McCormick. He said he continued to hear McCormick and [redacted] giving commands to the suspect to drop his gun. Deputy Hoyt then heard the suspect state he could not let go of the gun, because he could not move his hand.

Deputy Hoyt said assisting units arrived at the location and secured the gun and the suspect. Deputy Hoyt said paramedics were requested and he was removed from the scene and transported to Palmdale Station.

Before the interview ended, Deputy Hoyt removed his Beretta 92F handgun (Serial# BER[redacted] After providing Detectives with the serial number to the handgun, Deputy Hoyt said he carries the firearm with fifteen rounds in the magazine and one round in the chamber.



Deputy Hoyt then removed eleven 9mm rounds from the magazine and one 9mm round from the chamber of the gun and indicated it was his belief he fired four rounds. Detectives took possession of Deputy Hoyt's handgun, magazine and the twelve 9mm rounds. Firearms Examiner James Carroll took possession of Deputy Hoyt's Beretta and issued Lab Receipt# J234773.

The interview of Deputy Hoyt ended 12:05 a.m., on February 7, 2002.

Background Information on Deputy [redacted] (#[redacted]

Deputy Perez is currently assigned to Palmdale Sheriff Station as a Field Deputy. Deputy [redacted] was hired by the Los Angeles County Sheriff's Department in [redacted] of [redacted]

[redacted]

On February 6, 2002, Deputy [redacted] Deputy [redacted]

Interview of Deputy [redacted]

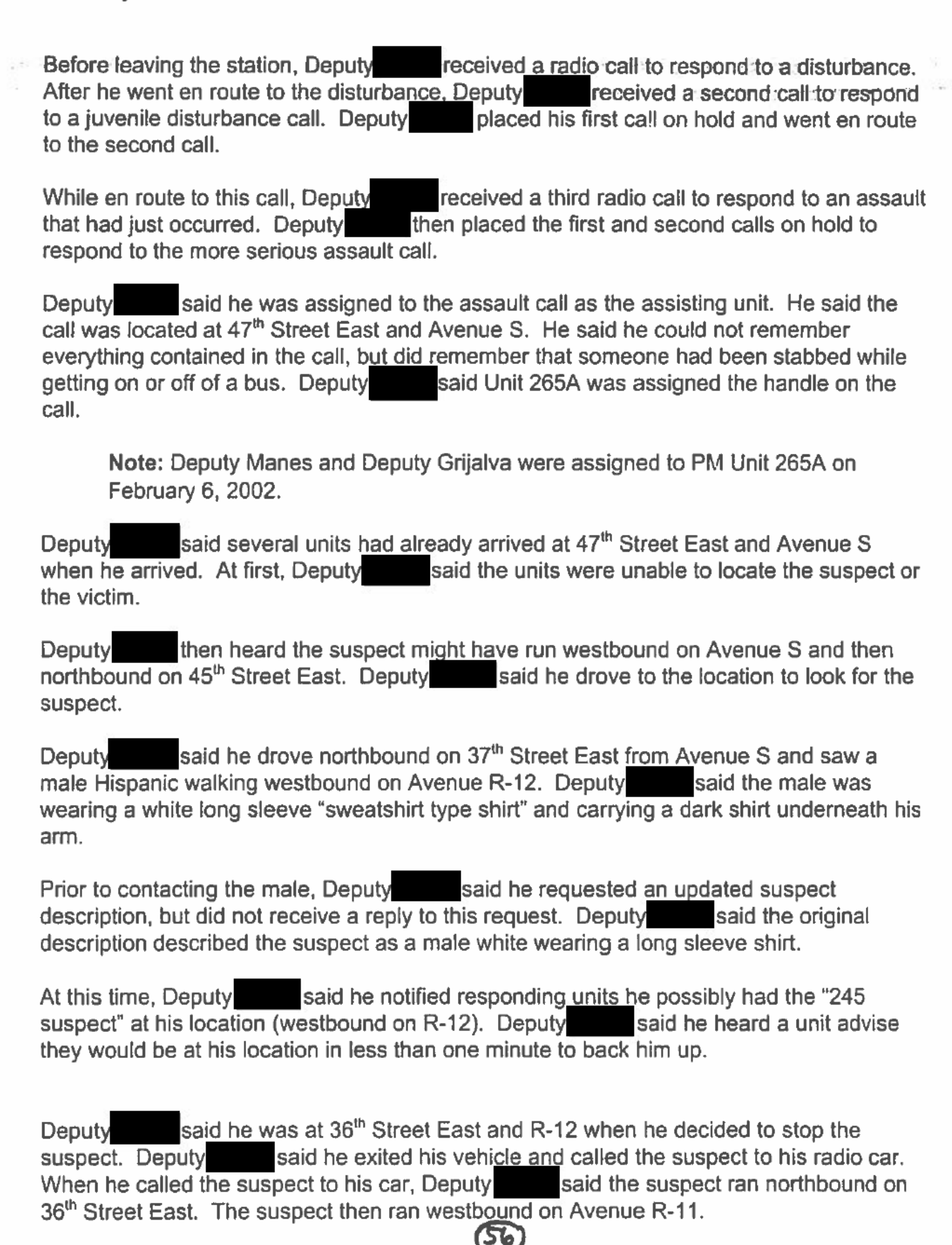
On February 7, 2002, at 12:20 a.m., Detectives Carver and Okada interviewed Deputy [redacted] regarding the shooting that took place on Lilacview Avenue in the city of Palmdale. The following is a summary of the taped interview.

Before the interview began, Deputy [redacted] removed his Beretta 92F handgun (Serial# BER[redacted] Deputy [redacted] said he carries the firearm with fifteen rounds in the magazine and one round in the chamber.

Deputy [redacted] then removed eleven 9mm rounds from the magazine and one 9mm round from the chamber of the gun. Deputy [redacted] handgun, magazine and the twelve 9mm rounds were given to Firearms Examiner James Carroll. Deputy [redacted] Beretta was issued Lab Receipt# J234773.

Deputy [redacted] said his shift began at [redacted] and he was assigned to Unit [redacted] Deputy [redacted] said he started his shift by attending briefing and then prepared his radio car for the upcoming shift.





Before leaving the station, Deputy [redacted] received a radio call to respond to a disturbance. After he went en route to the disturbance, Deputy [redacted] received a second call to respond to a juvenile disturbance call. Deputy [redacted] placed his first call on hold and went en route to the second call.

While en route to this call, Deputy [redacted] received a third radio call to respond to an assault that had just occurred. Deputy [redacted] then placed the first and second calls on hold to respond to the more serious assault call.

Deputy [redacted] said he was assigned to the assault call as the assisting unit. He said the call was located at 47th Street East and Avenue S. He said he could not remember everything contained in the call, but did remember that someone had been stabbed while getting on or off of a bus. Deputy [redacted] said Unit 265A was assigned the handle on the call.

> **Note:** Deputy Manes and Deputy Grijalva were assigned to PM Unit 265A on February 6, 2002.

Deputy [redacted] said several units had already arrived at 47th Street East and Avenue S when he arrived. At first, Deputy [redacted] said the units were unable to locate the suspect or the victim.

Deputy [redacted] then heard the suspect might have run westbound on Avenue S and then northbound on 45th Street East. Deputy [redacted] said he drove to the location to look for the suspect.

Deputy [redacted] said he drove northbound on 37th Street East from Avenue S and saw a male Hispanic walking westbound on Avenue R-12. Deputy [redacted] said the male was wearing a white long sleeve "sweatshirt type shirt" and carrying a dark shirt underneath his arm.

Prior to contacting the male, Deputy [redacted] said he requested an updated suspect description, but did not receive a reply to this request. Deputy [redacted] said the original description described the suspect as a male white wearing a long sleeve shirt.

At this time, Deputy [redacted] said he notified responding units he possibly had the "245 suspect" at his location (westbound on R-12). Deputy [redacted] said he heard a unit advise they would be at his location in less than one minute to back him up.

Deputy [redacted] said he was at 36th Street East and R-12 when he decided to stop the suspect. Deputy [redacted] said he exited his vehicle and called the suspect to his radio car. When he called the suspect to his car, Deputy [redacted] said the suspect ran northbound on 36th Street East. The suspect then ran westbound on Avenue R-11.

Deputy [redacted] said he followed the suspect on foot and advised units he was in foot pursuit of the suspect. He said the suspect then ran northbound on Lilacview Avenue. Upon running onto Lilacview Avenue, Deputy [redacted] saw the suspect walking up to a residence. When the suspect saw Deputy [redacted] the suspect again ran northbound on Lilacview Avenue.

Deputy [redacted] said the suspect then stopped running on the sidewalk next to a parked vehicle. Deputy [redacted] then stated, "He turned around and at that time I saw him point something at me. I heard two pops. At that time, I dove onto the ground and returned fire. I fired two to three shots. As I was firing back, my back up units were arriving, coming around the corner, northbound on Lilacview. I don't remember if he continued firing toward my direction as the car drove up the street, the radio car drove up the street. I remember the radio car stopping parallel to the suspect. At that time, the suspect turned faced toward the deputies. I heard another gunshot. At that time, I fired one more shot. The suspect dropped to the ground. I got up. I ran up to the two parked vehicles where the other deputies were and took a position behind one of the parked vehicles with Deputy McCormick."

Deputy [redacted] said a second unit arrived from the north end of Lilacview Avenue. He said this unit approached the suspect and removed the gun from his hand.

During follow-up questions, Deputy [redacted] said he first saw the suspect walking westbound on Avenue R-12 on the north sidewalk. He said at this time the suspect was crossing 37th Street East in front of him.

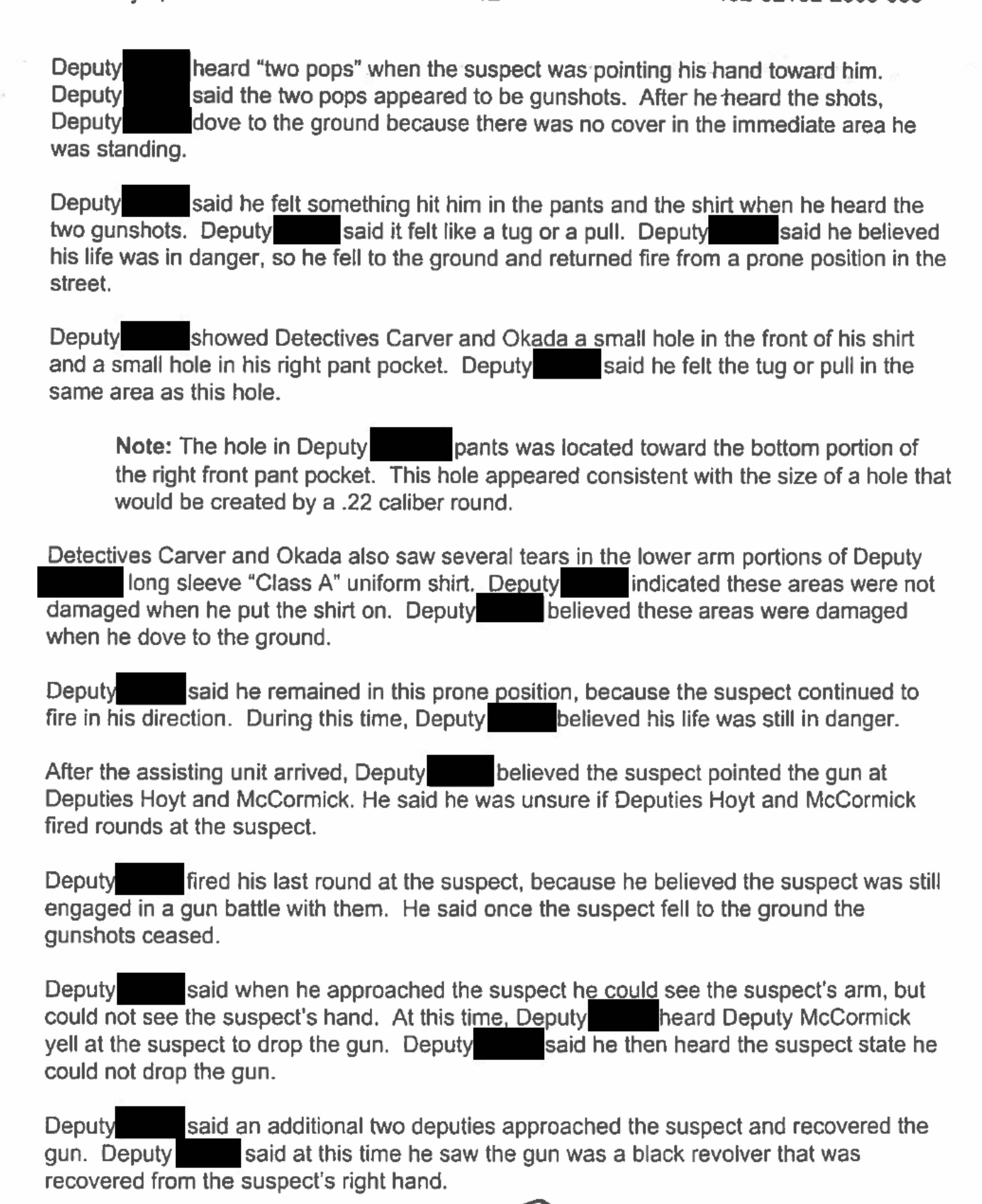
Deputy [redacted] said the suspect stopped walking and looked at him when he put his car in park and exited. He said the suspect then turned and ran when he told the suspect to come over to his radio car.

Deputy [redacted] said the suspect ran northbound down the middle of 36th Street East, from the northeast corner of 36th Street East and R-12 to the southwest corner of 36th Street East and R-11. The suspect then ran from the southwest corner of 36th Street East and R-11 to the northeast curve of R-11 and Lilacview Avenue.

Deputy [redacted] said the when he reached the corner of R-11 and Lilacview Avenue, the suspect was two or three house north and walking up a driveway on the eastside of the street. Once the suspect saw him again, Deputy [redacted] said the suspect continued northbound on Lilacview Avenue for one to two houses before stopping, turning and firing.

Deputy [redacted] said he was standing in the street when the suspect stopped running, turned and faced him. Deputy [redacted] said he could not see what was in the suspect's hand, but knew the suspect was pointing something in his direction.





Deputy [redacted] heard "two pops" when the suspect was pointing his hand toward him. Deputy [redacted] said the two pops appeared to be gunshots. After he heard the shots, Deputy [redacted] dove to the ground because there was no cover in the immediate area he was standing.

Deputy [redacted] said he felt something hit him in the pants and the shirt when he heard the two gunshots. Deputy [redacted] said it felt like a tug or a pull. Deputy [redacted] said he believed his life was in danger, so he fell to the ground and returned fire from a prone position in the street.

Deputy [redacted] showed Detectives Carver and Okada a small hole in the front of his shirt and a small hole in his right pant pocket. Deputy [redacted] said he felt the tug or pull in the same area as this hole.

> **Note:** The hole in Deputy [redacted] pants was located toward the bottom portion of the right front pant pocket. This hole appeared consistent with the size of a hole that would be created by a .22 caliber round.

Detectives Carver and Okada also saw several tears in the lower arm portions of Deputy [redacted] long sleeve "Class A" uniform shirt. Deputy [redacted] indicated these areas were not damaged when he put the shirt on. Deputy [redacted] believed these areas were damaged when he dove to the ground.

Deputy [redacted] said he remained in this prone position, because the suspect continued to fire in his direction. During this time, Deputy [redacted] believed his life was still in danger.

After the assisting unit arrived, Deputy [redacted] believed the suspect pointed the gun at Deputies Hoyt and McCormick. He said he was unsure if Deputies Hoyt and McCormick fired rounds at the suspect.

Deputy [redacted] fired his last round at the suspect, because he believed the suspect was still engaged in a gun battle with them. He said once the suspect fell to the ground the gunshots ceased.

Deputy [redacted] said when he approached the suspect he could see the suspect's arm, but could not see the suspect's hand. At this time, Deputy [redacted] heard Deputy McCormick yell at the suspect to drop the gun. Deputy [redacted] said he then heard the suspect state he could not drop the gun.

Deputy [redacted] said an additional two deputies approached the suspect and recovered the gun. Deputy [redacted] said at this time he saw the gun was a black revolver that was recovered from the suspect's right hand.

After the situation was contained, Deputy [redacted] said his shirt and vest were removed and he was checked to see if he had been shot. Deputy [redacted] said he was then transported to Antelope Valley Hospital and treated for a grazing type gunshot wound to his right thigh. Deputy [redacted] said the wound was an inch in length and was in line with the hole that was found in his pocket. Deputy [redacted] said the wound was sore with a burning sensation.

At the end of the interview, Deputy [redacted] admitted he thought he had been shot. He said this was prior to falling to the ground and returning fire.

Deputy [redacted] said he was unable to advise assisting that he was involved in a shooting, because the entire incident occurred very quickly.

The interview of Deputy [redacted] ended at 12:51 a.m., on February 7, 2002.

This case will remain active with further reports to follow.

SUBMITTED BY: D. CARVER # [redacted] AND G. OKADA # [redacted]
APPROVED BY: LT. MARTIN # [redacted] 2-2-02
ASSIGNED: HOMICIDE BUREAU / DETECTIVE DIVISION



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY • Chief Deputy District Attorney
PETER BOZANICH • Assistant District Attorney

DAVID H. GUTHMAN • Director

October 15, 2002

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Re: J.S.I.D. File #: 02-0115
L.A.S.D. File #: 402-02162-2608-055

Dear Captain Merriman:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the February 6, 2002, non-fatal shooting of [redacted] by Los Angeles County Sheriff's Deputies John Hoyt and [redacted] We have concluded that Deputies Hoyt and [redacted] acted lawfully in self-defense and in defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), Homicide Bureau, submitted to this office on October 3, 2002 by Sergeant Gean Okada and Detective David Carver. The District Attorney's Command Post was notified of this shooting on February 6, 2002 at 6:20 p.m. The District Attorney Response Team comprised of Deputy District Attorney Michael Pettersen and District Attorney Senior Investigator [redacted] responded to the scene of the shooting at 9:00 p.m. D.D.A. Pettersen and Investigator Watler were given a briefing and a "walk through" of the scene by Lieutenant Tom Martin at 9:30 p.m.

FACTUAL ANALYSIS

On Monday, February 4, 2002, sixteen year-old [redacted] was involved in an after school fight with [redacted] Both [redacted] and [redacted] are students at [redacted] in Palmdale, California. The altercation was apparently stopped by [redacted] Both [redacted] are allegedly affiliated with the "Brown Pride" street gang. [redacted] is alleged to be a member of the "Val Verde Park" street gang



Criminal Courts Building
210 West Temple Street
Los Angeles, CA 90012-3210

On Wednesday, February 6, 2002 at approximately 4:30 p.m., [redacted] was riding home from school on an Antelope Valley Transit Authority bus when he was approached by [redacted] According to [redacted] challenged him to fight once they got off the bus. [redacted] said that he and [redacted] had problems in the past and he believed that [redacted] was a [redacted] of [redacted] agreed to fight [redacted] However, as they left the bus, [redacted] noticed a knife sticking out of [redacted] sleeve. [redacted] ran from the bus chased by [redacted] As they ran, [redacted] stabbed [redacted] twice in the back. [redacted] then turned and ran in the opposite direction. [redacted] ran to a nearby gas station where the attendant called 911 for emergency assistance. [redacted] was eventually taken to Providence Holy-Cross Medical Center. [redacted] survived the injuries.

At approximately 4:35 p.m., LASD Communications Bureau began broadcasting information to the patrol units regarding the stabbing that had "just occurred." Within minutes a suspect description of a male white wearing a white T-shirt was broadcast. Several Palmdale Station units began responding to the scene. Deputy [redacted] soon broadcast that he had an individual who matched the description of the suspect under observation a short distance from the scene of the assault. Partner Deputies Hoyt and Denise McCormick informed Deputy [redacted] that they would be responding to his location in "one minute." As they arrived, Deputy [redacted] broadcast that he was now involved in a foot pursuit with the suspect.

Deputy [redacted] said that he first observed [redacted] walking on Avenue R-12. [redacted] was wearing a long sleeve white T-shirt and was carrying a dark shirt underneath his arm. After following [redacted] for a block, Deputy [redacted] stepped from his patrol car and called [redacted] to him. Instead of complying with the request, [redacted] turned and ran away. With Deputy [redacted] chase, [redacted] turned and ran northbound on Lilacview Avenue. [redacted] was temporarily out of Deputy [redacted] view. As he rounded the corner, Deputy [redacted] saw [redacted] approaching a residence. [redacted] then turned and continued to run northbound.

After a short distance, [redacted] turned and pointed a small caliber black revolver at Deputy [redacted] Deputy [redacted] indicated that he heard two "pops" that he immediately recognized as gunshots. Deputy [redacted] drew his firearm, dropped to the ground and fired "two or three" shots and [redacted] As he was firing, Deputies Hoyt and McCormick were rounding the corner onto northbound Lilacview Avenue. Deputy [redacted] watched as they passed his location and stopped in the street parallel to [redacted] Deputy [redacted] said that [redacted] turned to face Deputies Hoyt and McCormick who had exited their car. He stated that he heard another gunshot and he then fired once more in [redacted] direction. According to Deputy [redacted] dropped to the ground at which time he [redacted] got up, moved closer and took cover behind a parked car. He said that a second unit arrived and disarmed [redacted] Deputy [redacted] sustained a "grazing" bullet wound to his right thigh.

Deputy [redacted] was transported to Antelope Valley Hospital where he was treated and released the same evening.

Deputy McCormick stated that she and her partner had just left the Palmdale Station when they monitored the assault radio call. When she heard Deputy [redacted] indicate that he had a possible suspect in sight, she radioed that they would join him as back-up. As they rounded the corner onto northbound Lilacview Avenue, she saw Deputy [redacted] "proned out on the ground with his gun out." As they passed, Deputy McCormick heard gunshots. She told Deputy Hoyt that she believed that suspect was standing near a parked truck further up the street.

When Deputy Hoyt stopped next to the truck, Deputy McCormick stated that she, "grabbed the shotgun, exited the vehicle and chambered a round." She then attempted to take a position around the rear of the parked truck, but was prevented from doing so by a second vehicle parked at the truck's rear bumper. [redacted] was facing Deputy Hoyt at the time. As she was approaching the rear of the second car, she heard Deputy Hoyt state, "Put down the weapon, put down the weapon." She then heard gunfire. As she rounded the rear of the car, she saw [redacted] on the ground with a gun still in his hand. Deputy McCormick said that she told [redacted] to "Drop the gun." [redacted] responded that he could not release the gun because "his arm was dead." According to Deputy McCormick, Deputies Manes and Grijalva arrived, approached [redacted] and took a gun from his hand.

Deputy Hoyt stated that he was driving the patrol car when they received that assault call and Deputy [redacted] suspect broadcast. He heard his partner indicate that they would respond as back-up within a minute. He began driving to Deputy [redacted] location where the foot pursuit began. As he turned onto Lilacview Avenue, he saw Deputy [redacted] lying on the ground with his gun pointed in front of him. Deputy Hoyt heard "one or two" shots fired as they passed. He pulled up parallel to a parked truck after Deputy McCormick pointed out [redacted]

Deputy Hoyt said that Deputy McCormick got out of and moved towards the rear of their patrol car. He exited the car and stood within the open driver's door well. Deputy Hoyt estimated that he was about fifteen feet from [redacted] at the time. He observed that [redacted] was holding a "black, blue steeled" revolver. He immediately instructed [redacted] to drop the gun. Deputy Hoyt said that [redacted] was looking directly at him. As he continued to issue commands, [redacted] began to look in all directions as if to assess possible escape routes. According to Deputy Hoyt, [redacted] "suddenly stood up straight, turned his body and pointed the gun" at him. Fearing that he was going to be shot, Deputy Hoyt "fired one round. Came back down and picked up [his] front sight and fired a second round." Deputy Hoyt indicated that [redacted] "flinched" after the second round but did not go down.

Deputy Hoyt said that he then fired two more rounds. After the third and fourth rounds, [redacted] fell to the sidewalk. Deputy Hoyt also described Deputies Manes and Grijalva arriving and disarming [redacted] He indicated that they called for paramedics immediately and attempted to comfort [redacted] until their arrival. During a search of [redacted] person, the deputies found a blood stained knife in his waistband.

Investigators interviewed a total of twelve civilian witnesses who acknowledged seeing part or all of the foot pursuit and the ensuing shooting. Six of those witnesses observed Deputy [redacted] and [redacted] while they were involved in the foot pursuit. Their descriptions of the pursuit did not differ from Deputy [redacted] account. The remaining six witnesses, five of whom were juveniles, observed the shooting. All of the witnesses consistently said that Deputy Hoyt issued commands to [redacted] before the shots were fired. Four of the five observed [redacted] point the gun at both Deputy [redacted] and Deputy Hoyt. Several of the witnesses said that the deputies were extremely compassionate towards [redacted] after he was shot. None of these witnesses' accounts differed in any significant respect from the deputies description of the events.

[redacted] was interviewed by the investigators on February 7 and 13, 2002. [redacted] alleged that it was [redacted] who challenged him to fight while on the bus. [redacted] initially said that [redacted] pulled the knife which [redacted] then took away and used to stab him. Later, [redacted] admitted that the knife was his and never possessed by [redacted] denied being a "Brown Pride" gang member. When asked about his numerous gang related tattoos, [redacted] said they were in tribute to his dead [redacted] and [redacted] stated that he did not know why he and [redacted] were fighting.

[redacted] said that, after the stabbing, he ran away. He stated that he retrieved the revolver from some bushes where he had secreted it earlier in the day. The revolver was allegedly for his "protection" and was given to him by a "friend in the valley" who he refused to identify. [redacted] indicated that, as he walked down the street, he noticed Deputy [redacted] behind him. When the deputy called out to him, he ran. As he ran, he pulled the gun from his waistband, turned and fired three rounds at Deputy [redacted] According to [redacted] he fired "up into the air" because he was scared. He saw the deputy lay down on the ground and then heard three shots being fired back at him [redacted] He was not sure whether he had been hit, but acknowledged that he continued to flee.

[redacted] said he saw the other police car as he was firing at the deputy chasing him. When the other deputies stopped and got out of their car, they immediately pointed their guns at him. [redacted] believed that one of the deputies said something to him, but he did not understand what was said. According to [redacted] he was "trying to put the gun down" when the deputy shot him. [redacted] thought that the deputy fired six times and three of the rounds struck him. He said that he fell to the ground and tried to release the gun, but his



hand would not move. A deputy approached and pulled the gun from his hand. [redacted] gun contained five spent shell casings and one live round.

[redacted] was struck by four bullets. He received a "through and through" wound to his left forearm, a second bullet entered his right bicep and shattered his humerus; he suffered a superficial wound to the right side of his chest and another superficial wound on his left back. [redacted] was treated at UCLA Medical Center and recovered from the wounds. On February 26, 2002, a detained juvenile petition and a request for a fitness hearing were filed by the District Attorney's Sylmar juvenile office. On May 23, 2002, after [redacted] was found to be not amenable to juvenile court, a complaint alleging three violations of Penal Code § 664/187(a), attempted murder of Deputies [redacted] and Hoyt as well as [redacted] and a single violation of Penal Code § 245(D)(1), assault on a peace officer with a firearm, was filed in the Antelope Valley Superior Court. Jury trial on that matter was set to begin on December 2, 2002.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

If one is confronted by the appearance of danger which arouses in his mind, as a reasonable person, an honest conviction and fear that he is about to suffer bodily injury, and if a reasonable person in a like situation seeing and knowing the same facts, would be justified in believing himself in like danger, and if the person so confronted acts in fear and honest conviction, his right of self-defense is the same whether such danger is real or apparent. People v. Jackson, (1965) 233 Cal.App.2d 639.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30, 5.32.

CONCLUSION

After having committed a violent assault on an unarmed civilian, [redacted] ran from the scene and armed himself with a revolver he kept secreted in an inconspicuous location. Instead of heeding Deputy [redacted] commands, [redacted] ran from police contact. In his

attempt to escape, he fired at least three rounds at Deputy [redacted] The fact that Deputy [redacted] received a gunshot wound contradicts [redacted] assertion that he fired into the air to scare the deputy. There is no question that, after having been fired upon and wounded, Deputy [redacted] was legally justified in exercising lethal force in response.

Deputy Hoyt arrived on Lilacview Avenue to witness a fellow deputy down in the street simultaneous to hearing shots being fired. When he contacted [redacted] his commands were met with noncompliance. From a distance of a mere fifteen feet, Deputy Hoyt stood as [redacted] raised his gun and pointed it directly at him. Taking into account what Deputy Hoyt had seen and heard as he stood in that position, his firing on [redacted] was a legal exercise of his right of self-defense and his duty to defend his partners.

Having concluded that Deputies Hoyt and [redacted] acted lawfully in self-defense and in defense of others, we are closing our file and will take no further action on this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

MICHAEL KENNETH PETTERSEN
Deputy District Attorney
(213) 974-7437

c: Deputy John Hoyt, [redacted]
Deputy [redacted] # [redacted]